

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

DELPORT, et al

Filed: **February 8, 2006**

Serial No. **10/567,625**

For: **RUPTURE TYPE OPENABLE
BEVERAGE CONTAINER LID**

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Art Unit:

Examiner:

Attorney Docket No.: **A311061.3US**

REQUEST FOR SUBSTITUTION OF DOCUMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant files the present Substitute Fee Transmittal in the above matter.

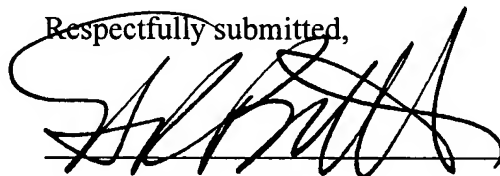
Applicant claimed Small Entity on the Utility Patent Application Transmittal (form PTO/SB/05), however, Applicant was erroneous in not checking the Small Entity box on the Fee Transmittal form (form PTO/SB/17).

Applicant respectfully requests the original Fee Transmittal be substituted with the enclosed Substitute Fee Transmittal and appropriate fees be charged.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account 50-2346.

Date: 3/23/06

Respectfully submitted,

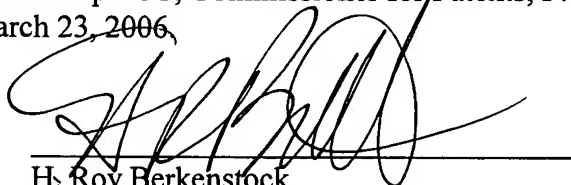


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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, addressed to Mail Stop PCT, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on March 23, 2006,

A handwritten signature in black ink, appearing to read 'H. Roy Berkenstock', is written over a horizontal line.

H. Roy Berkenstock
Registration No. 24,719

Date: March 23, 2006

SUBSTITUTE

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known

Application Number	
Filing Date	herewith
First Named Inventor	DELPORT
Examiner Name	
Art Unit	
Attorney Docket No.	A311061.3US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 502346 Deposit Account Name: Wyatt Tarrant & Combs

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	500
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	<u>Small Entity</u> Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<u>Total Claims</u> <u>7</u> - 20 or HP = <u>0</u> x <u> </u> = <u>0</u>		
<u>Indep. Claims</u> <u> </u> - 3 or HP = <u> </u> x <u> </u> = <u> </u>		

HP = highest number of total claims paid for, if greater than 20.

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)

SUBMITTED BY

Signature	Registration No. (Attorney/Agent) 24,719	Telephone 901-537-1108
Name (Print/Type) H. Roy Berkenstock	Date 02/08/2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.